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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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UNISYS CORPORATION
MS 4773
PO BOX 64942
ST. PAUL, MN 55164-0942

EXAMINER	
NGUYEN, MERILYN P	

ART UNIT	PAPER NUMBER
2163	

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/821,952	TURBA ET AL.	
	Examiner	Art Unit	
	Merilyn P Nguyen	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06/24/2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *Detailed Action*.

DETAILED ACTION

1. In response to the communication dated 06/24/2005, claims 1-20 are pending in this office action.

Acknowledges

2. Receipt is acknowledged of the following items from the Applicant:

The applicant amendment filed on 06/24/2005 has been considered and made of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-9, 11-14, and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Glaser (US 6,058,264).

Regarding claim 1, Glaser discloses in a data processing system (See Figs. 1- 4) having a user terminal (client computer 102, Fig. 1) operated by a user which builds a component for accessing a data base management system (See col. 3, lines 50-56) which responds to said component by execution of a sequence of command language script (See col. 4, lines 21-35)

responsively coupled to said user terminal via a publicly accessible digital data communication network (Network Server 110, Fig. 1), the improvement comprising:

a. a Data Wizard (Extender Smart Guide 422, Fig. 4) which permits said user to specify said component as an ordered sequence of discreet and independent steps (See Fig 7) and which presents a plurality of valid steps as choices (See Fig. 7F, for example, "add another" button provide another step as user option) for addition at each position in said ordered sequence of discreet and independent steps (See col. 8, lines 7-10) and wherein each of said ordered sequence of discreet and independent steps defines a unique portion of said sequence of command language script (See col. 4, lines 21-35 and col. 8, line 55 to col. 9, line 20); and

b. a plurality of state reports wherein a different one of said plurality of state reports corresponds to each step in said plurality of said ordered sequence of discreet and independent steps (See col. 6, lines 26-63, wherein the state is reported, for example, at Fig. 6 as the header block thereof indicates the particular input event with the current state denoted in parentheses), wherein each of said plurality of state reports conveys state information including output state resulting from execution by said data base management system of said unique portion of said sequence of command language script corresponding to a given one of said ordered sequence of discreet and independent steps to a subsequent one of said ordered sequence of discreet and independent steps (See col. 6, lines 26-67 and col. 7, lines 1-47, wherein Figs.

7A-7G represent the operations (steps) of the routine chosen from input event. Since operations are performed when transitions are made, based upon input events, from present or current states to new states, therefore, for every steps chosen and executed, the state is reported as new state).

Regarding claim 6, Glaser discloses an apparatus (Figs. 1-4) comprising:

a. a user terminal (client computer 102, Fig. 1) which generates a service request (See col. 3, lines 49-56);

b. a data base management system (RDBMS 126, Fig. 1) which honors said service request by executing a sequence of command language statements (See col. 4, lines 21-35) coupled to said user terminal via a publicly accessible digital data communication network (Network Server 110, Fig. 1); and

c. a Data Wizard (Extender Smart Guide 422, Fig. 4) coupled to said user terminal and said data base management system which permits said service request to be defined from said user terminal in accordance with an ordered sequence of discreet and independent steps (See Fig. 7A-7G) wherein each of said ordered sequence of discreet and independent steps defines a different portion of said sequence of command language statements (See col. 4, lines 21-35 and col. 8, line 55 to col. 9, line 20) and which provides a state report specifying output state resulting form execution by said data base management system of said different portion of said sequence of command language statements to each one of said ordered sequence of discreet and independent

steps which corresponds to the previous one of said order sequence of discreet and independent steps (See col. 6, lines 26-67 and col. 7, lines 1-47, wherein Figs. 7A-7G represent the operations (steps) of the routine chosen from input event. Since operations are performed when transitions are made, based upon input events, from present or current states to new states, therefore, for every steps chosen and executed, the state is reported as new state).

Regarding claims 2, 7 and 18, Glaser discloses said publicly accessible digital data communication network further comprises the Internet (See 2, lines 43-49 and col. 4, lines 44-48).

Regarding claims 3, 9, and 13-14 and 20, Glaser discloses said user terminal further comprises an industry compatible personal computer (Client computer 102, Fig. 1) having a commercially available browser (Browser 108, Fig. 1).

Regarding claims 4 and 17, Glaser discloses wherein each of said plurality of state reports further comprises a development environment state that defines the build information for a subsequent step in said plurality of steps (See col. 6, lines 56-63).

Regarding claims 8 and 12, Glaser discloses wherein each of said state reports further comprise a state update code (See col. 6, lines 40-47).

Regarding claims 5, 10, 15 and 19, Glaser discloses wherein said data base management system further comprises a commercially available data base management system (See col. 3, lines 49-56, wherein Glaser system is primarily targeted to enterprise customers. Since the system targets on enterprise customers, the system relating to economic business thus datable management system of Glaser is commercially).

Regarding claim 11, Glaser discloses a method of dynamically building a software component from a user terminal coupled via a publicly accessible digital data network to a remote data base management system having a component building process (See columns 6-9) wherein said data base management system responds to a service request by executing a sequence of command language scripts statements (See col. 4, lines 21-35) comprising:

a. presenting a first plurality of steps which are valid for a first position in an ordered sequence of steps which define said software component (See col. 8, lines 7-10);
b. inserting a chosen one of said first plurality of steps which defined a first portion of said sequence of command language scripts into said ordered sequence of steps (See col. 4, lines 21-35 and col. 8, line 55 to col. 9, line 20);
c. associating a first state report which describes results of execution of said first portion of said sequence of command language script by said data base management system with said chosen one of said first plurality of potential steps (See col. 6, lines 26-63, wherein the state is reported, for example, at Fig. 6 as the header block thereof indicates the particular input event with the current state denoted in parentheses);

d. presenting a second plurality of steps which are valid for a next position in said ordered sequence of steps (See col. 8, lines 25-30);

e. inserting a chosen one of said second plurality of steps defining a second portion of said sequence of command language script into said ordered sequence of steps (See col. 8, lines 33-35); and

f. associating a second state report which describes results of execution of said first portion of said sequence of command language script by said data base management system with said chosen one of said second plurality of steps (See col. 6, lines 26-67 and col. 7, lines 1-47, wherein Figs. 7A-7G represent the operations (steps) of the routine chosen from input event. Since operations are performed when transitions are made, based upon input events, from present or current states to new states, therefore, for every steps chosen and executed, the state is reported as new state); and

g. repeating steps c, d, e and f until said component is complete (See col. 7, line 59 to col. 8, line 55).

Regarding claim 16, Glaser discloses an apparatus comprising:

a. permitting means for permitting a user to access a publicly accessible digital data communication network which generates a service request (See Browser 108, Fig. 1, and col. 3, line 49 to col. 4, line 3);

b. providing means (Database Server 122, Fig. 1) coupled to said permitting means via said publicly accessible digital data communication network for providing data

base management services which honors said service request by executing an ordered sequence of command language script (See col. 4, lines 21-36);

c. designing means coupled to said permitting means and said providing means for designing a software component corresponding to said service request through specification of an ordered plurality of discreet and independent steps (See col. 7, lines 15-25) wherein each of said ordered plurality of discreet and independent steps defines a different portion of said ordered sequence of command language script (See col. 4, lines 21-35 and col. 8, line 55 to col. 9, line 20); and

d. associating means coupled to said designing means for associating a state report with each of said ordered plurality of discreet and independent steps (See col. 6, lines 26-63, wherein the state is reported, for example, at Fig. 6 as the header block thereof indicates the particular input event with the current state denoted in parentheses) which indicates output state resulting from said data base management system executing said different portion of said ordered sequence of command language script (See col. 6, lines 26-67 and col. 7, lines 1-47, wherein Figs. 7A-7G represent the operations (steps) of the routine chosen from input event. Since operations are performed when transitions are made, based upon input events, from present or current states to new states, therefore, for every steps chosen and executed, the state is reported as new state).

Response to Arguments

4. Applicant's arguments filed 06/24/2005 have been fully considered but they are not persuasive.

Applicant argues that Glasser does not teach the amended limitation of "each of said ordered sequence of discreet and independent steps defines a unique portion of said sequences of command language script". The Examiner respectfully disagrees. Glaser teaches this limitation at column 4, lines 21-35 and column 8, line 55 to column 9, line 20, wherein each of steps of Figs. 7A-7G having corresponding source code associated with it and sequence of source codes is executed for accessing the data base via the RDBMS 126 (col. 4, lines 28-35). Furthermore, Applicant states, "the component expresses the desired functionality in a "language" (i.e., sequence of steps) which is even higher level than the native command language script of the data base management system". The Examiner respectfully points out that this is not what claimed.

Applicant argues that Glaser teaches no reporting of state. The Examiner respectfully disagrees. The Applicant is respectfully directed to column 6, lines 26-63, wherein the state is reported, for example, at Fig. 6 as the header block thereof indicates the particular input event with the current state denoted in parentheses and column 7, lines 1-47, wherein Figs. 7A-7G represent the operations (steps) of the routine chosen from input event. Since operations are performed when transitions are made, based upon input events, from present or current states to new states, therefore, for every steps chosen and executed, the state is reported as new state.

Applicant argues that Glaser does not teach network comprising Internet. The Examiner respectfully disagrees. Glaser supports the development of Internet and Intranet applications (See col. 2, lines 43-49) and also Fig. 2 illustrates the component of network server 110 comprising Internet connection server API (See col. 4, lines 38-46), thus definitely discloses network comprising Internet.

Applicant states, "claims 3, 9, 13-14...further limit the software architecture of the claimed user terminal. The Examiner cites "client computer" 102 for which no software architecture is defined". The Examiner respectfully point out that there is no such thing claimed and the Examiner doesn't understand why Applicant come up with such argument. Fig. 1 of Glaser teaches client computer 102 having browser 108, thus meeting the rejection of claimed limitation.

Applicant argues that "claim 11 require that the claimed "software component" be assembled as a sequence of steps, wherein each of the steps in turn corresponds to a sequence of command language script". The Examiner points out that Glaser teaches this limitation at column 4, lines 21-35 and column 8, line 55 to column 9, line 20, wherein each of steps of Figs. 7A-7G having corresponding source code associated with it and sequence of source codes is executed for accessing the data base via the RDBMS 126 (col. 4, lines 28-35).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN
October 28, 2005

FRANTZ COBY
PRIMARY EXAMINER